

Laws, Regulations & Policies



## **This is DTSC**



Public Involvement



Managing Hazardous Waste



**Department of Toxic  
Substances Control**



## THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Each year, Californians generate two million tons of hazardous waste. One hundred thousand privately and publicly owned facilities generate one or more of the 800-plus wastes considered hazardous under California law. Properly handling these wastes avoids threats to public health and degradation of the environment.

The Department of Toxic Substances Control (DTSC) regulates those who handle hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California.

What began in the 1970s as a small unit within the California Department of Health Services has grown into a separate department to meet some of California's most challenging environmental issues. DTSC now has offices in Sacramento, Berkeley, Glendale, and Cypress and satellite offices in Clovis and San Diego.

Engineers, scientists, and specialized support staff regulate companies and individuals that handle, transport, store, treat, and dispose of hazardous wastes. Toxicologists and chemists examine hazardous substances and contaminated materials to enhance safety for people and the environment. Others oversee cleanup and respond to emergency toxic spills, provide support to the public and the regulated community, and work to reduce or eliminate sources of hazardous waste.

DTSC's financial support comes from State funds, special funds and from federal and other reimbursements. The special funds include hazardous waste activity fees established in the Health and Safety Code, such as permit fees. In addition, DTSC makes every effort to recover State funds used in oversight or remediation of contaminated sites from the parties who are legally responsible for the contamination. This important process supports much of DTSC's work. Cost recovery has averaged \$11 million per year in recent years, including reimbursement costs from voluntary cleanups.

### Overseeing Site Cleanup

DTSC is committed to establishing and implementing protective and consistent cleanup programs and standards that can serve as a model for California and the nation.



An estimated 90,000 properties throughout the State, including former industrial properties, school sites, military bases, small businesses and landfills, are contaminated, or believed contaminated, with some level of toxic substances. DTSC cleans up or oversees approximately 220 hazardous substance release sites at any given time and completes an average of 125 cleanups each year. An additional 250 sites are listed on DTSC's CalSites database as properties that may be contaminated.

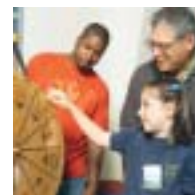
***Brownfields:*** Brownfields are sites that sit idle or are underused due to real or perceived environmental contamination, contributing to both urban blight and urban sprawl. The Brownfields Initiative, the Voluntary Cleanup Program, and the Expedited Remedial Action Pilot Program encourage responsible parties to clean up contaminated properties by offering economic, liability, or efficiency incentives.

***State Superfund:*** In most cases, the property owner or the entity responsible for the contamination pays for cleaning it. However, the State Superfund covers "orphan sites" for which there are no cleanup funds through the responsible party and which threaten the people or the environment of California.

***Schools:*** DTSC works to ensure that all new, existing, and proposed school sites are environmentally safe. State laws require all proposed school sites that will receive State funding for purchase or construction to go through DTSC's environmental review. This process ensures that new school sites are uncontaminated or, if previously contaminated, that they have been cleaned up to a safe level. In 2001, DTSC assessed, investigated, or cleaned more than 450 different school sites in California.

***Military Bases:*** California has one-third of the closing military bases in the country and more than 1,000 former defense sites. DTSC is currently investigating, cleaning, or providing technical assistance at more than 160 current or former military installations statewide. This task presents some unique challenges including addressing residual unexploded ordinance, chemical and biological munitions, and otherwise toxic substances that remain on the property.

***Emergency Response:*** DTSC's Emergency Response Program provides immediate assistance during sudden or threatened releases of hazardous substances. Trained



# Cleanup

responders, working with law enforcement agencies, remove toxic chemicals at roughly 2,000 illegal drug labs per year. They also respond to hazardous substance spills related to off-highway transportation and natural disasters.

*Federal Superfund:* DTSC continues to have responsibility for cleanup and enforcement at several high-profile federal Superfund sites including Stringfellow Acid Pits near Riverside. DTSC technicians at Stringfellow operate the on-site Pre-treatment Plant, groundwater extraction wells, and other containment systems as well as the monitoring and treatment systems.



## Managing Hazardous Waste

Permitting, inspection, compliance, and corrective action programs ensure that people who manage hazardous waste follow state and federal requirements.

*Permitting:* DTSC has permitted more than 130 major commercial facilities to treat, store, and dispose of hazardous waste in California. DTSC uses a streamlined tiered permitting process to regulate the 5,000 businesses that perform lower-risk treatment. In addition, DTSC tracks and monitors hazardous waste from its generation to ultimate disposal.



*Compliance:* Ensuring compliance through inspection and enforcement is an important part of effectively regulating hazardous waste. DTSC conducts roughly 200 inspections a year, resulting in as many as 30 new enforcement cases. The investigators also provide technical and investigative support to federal prosecutors and district attorneys prosecuting environmental crimes.

*Criminal Investigations:* DTSC has the only law enforcement officers in the California Environmental Protection Agency (Cal/EPA). These peace officers investigate alleged criminal violations of the Hazardous Waste Control Law. They work closely with local law enforcement, district attorneys' offices, the U.S. Environmental Protection



# Managing Hazardous Waste

Agency (U.S. EPA), the Federal Bureau of Investigation, and law enforcement personnel in other states.

*CUPA Support:* DTSC also oversees the implementation of the hazardous waste generator and on-site treatment program, one of the six environmental programs at the local level consolidated within the Unified Program. Seventy-two Certified Unified Program Agencies (CUPAs), which are generally part of the local Fire Department or Environmental Health Department, have authority to enforce regulations, conduct inspections, administer penalties, and hold hearings.

*Waste Minimization:* DTSC uses hazardous waste recycling and resource recovery to minimize negative environmental and public health effects. The household hazardous waste and agricultural chemical collection programs focus on removing dangerous substances from homes and preventing their release into the environment through landfills, sewer systems, and illegal dumping.

*Proactive Measures:* Ensuring that the State has sufficient hazardous waste storage, treatment, and landfill capacity is part of this process. DTSC collects and analyzes information about current and future waste generation to determine the needs and the most effective ways to address them.

#### Encouraging Pollution Prevention

*Source Reduction:* Pollution Prevention (P2) is preferable to recycling and treatment options because it provides the best protection for public health and the environment. Source reduction involves eliminating hazardous substances from the manufacturing process or decreasing the toxicity or amount of a hazardous pollutant. This method has the added benefit of reducing or avoiding waste costs and management liability.

*Legislation:* The Hazardous Waste Source Reduction and Management Review Act requires hazardous waste generators to seriously consider source reduction as the preferred method of managing hazardous waste. DTSC uses this and other tools to motivate generators to consider and implement pollution prevention options.



# Pollution Prevention

## E OF DANGEROUS LOOK-ALIKES"

TELL THE DIFFERENCE?

- A. RED HOTS
- B. SUDAFED (decongestant)
- C. GOOD & PLenty
- D. PRESCRIPTION DRUGS
- E. SWEET TARTS
- F. ANTACID TABLETS

HERSHEY'S CHOCOLATE

LAX

# HAZARDOUS WASTE



IGNITABLE

CORROSIVE



REACTIVE

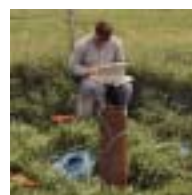
TOXIC



*Education:* For pollution prevention to be successful, everyone must participate, so DTSC works to educate businesses and individuals. Teams create informative publications, speakers travel throughout the State, and DTSC's Web site makes a vast store of knowledge available in moments. Recent efforts have included targeting education and outreach efforts toward specific industries that generate hazardous waste such as vehicle service and repair and petroleum refineries. In addition, each September local agencies and organizations participate in Pollution Prevention Week by sponsoring more than 100 educational events.



*Cooperation:* DTSC works to integrate pollution prevention strategies throughout its programs, through regulations and policies, and with each individual. From inspectors in the field offices and scientists at the lab, to clerical staff in the headquarters, everyone works toward reducing hazardous substances, limiting waste, and preserving the environment. Capitalizing on innovative technologies makes California a national leader in developing better solutions for managing hazardous wastes.



#### Science and Technology

Scientific accuracy is the cornerstone of DTSC's efforts from classifying waste to assessing risk. DTSC's scientists and engineers are experts at identifying concentrations of toxic chemicals in air, water, soil, sludge, hazardous waste streams, and biological and human tissues.

*Science:* DTSC provides consultation and support in toxicology, industrial hygiene, human and ecological risk assessment, and contaminant detection and measurement. Cutting-edge information about the composition and risks of toxic substances helps to avoid potentially dangerous exposures. DTSC operates analytical chemistry laboratories in Berkeley and Los Angeles, and has teams of toxicologists and industrial hygienists throughout California. Developing new analysis and control strategies for hazardous substances contributes to fewer exposures in the future.



# Science & Technology

# Public Involvement

*Technology:* DTSC promotes the use of new and innovative technologies in solving today's hazardous waste management problems and in cleaning up contaminated sites. Various DTSC programs help demonstrate and evaluate environmental technologies to encourage their use. Staff members provide technical support to technology developers, vendors, and users through testing and sampling protocols, site identification, and health and safety plans. DTSC partners with other states and with federal agencies to develop guidance and training for technology transfer. By networking with technical programs across the nation, DTSC advances beneficial environmental technologies in California.



## Communicating with the Public

Being accessible, accountable, and relevant is crucial to public service. DTSC works toward those goals by communicating with individuals, regulated businesses, community groups, educators, the news media, and other government agencies. Staff members share information about what DTSC is doing and learn what the public needs and wants.



*Accessibility:* If you have a question, DTSC's Public and Business Liaisons will help you get an answer. Their full-time job is to respond to inquiries from the regulated community, environmental firms, other agencies, and the public.

*Involvement:* DTSC's public participation program is nationally recognized as the most proactive program of its type. Statute and policy mandate a community involvement program that creates a dialogue with the public when DTSC is cleaning up a site, reviewing a permit application, or engaging in other regulatory activities. Moreover, DTSC recognizes that public involvement ultimately results in better environmental risk management decisions. DTSC administers environmental justice programs in cooperation with Cal/EPA, the Governor's Office of Planning and Research, and civil rights organizations to ensure that all people and communities have an equal opportunity to take part in the decision-making process.



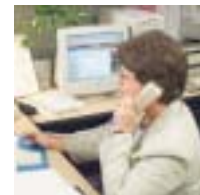
*Information:* Keeping people informed of activities that may affect them is crucial to public service. DTSC uses media releases, fact sheets, publications, direct mail, and public meetings to provide information about activities such as site cleanup, enforcement, and permitting actions. In addition, DTSC's Web site is complete, current, and simple to navigate. It contains information about every program and function that DTSC performs, as well as copies of all current public documents and most recent publications.



*Education:* DTSC promotes environmental responsibility by educating children and adults about the dangers of hazardous waste and alternatives. Staff members coordinate outreach strategies, are active in community events and school programs, and provide educational materials. DTSC also provides complex information in a way that is simple to access and to understand.

#### Laws, Regulations, and Policies

*Authority:* DTSC regulates hazardous waste in California primarily under the authority of the federal Resource Conservation and Recovery Act of 1976 and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. From these laws, DTSC's major program areas develop regulations and consistent program policies and procedures. The regulations spell out what those who handle hazardous waste must do to comply with the laws. As is the case with environmental risk management decisions, these rulemakings are subject to public review and comment.



*U.S. EPA:* Some of California's environmental laws are very similar to federal laws administered by the U.S. EPA; however, California has enacted many laws that are even more protective of the environment.

*CEQA:* The California Environmental Quality Act (CEQA), signed into law in 1970, requires public agency decision-makers to consider and document the environmental implications of their actions. This law impels agency personnel to seek methods to avoid or reduce environmental damage in all projects and decisions they undertake.

# Laws, Regulations & Policies



Regulations & Policies



Pollution

Hazardous Waste



Science &

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Site C



State of California



Department of Toxic  
Substances Control

